

**U.S. District Court
Eastern District of Virginia - (Alexandria)
CRIMINAL DOCKET FOR CASE #: 1:19-cr-00232-LO-1
Internal Use Only**

Case title: USA v. Baynes
Magistrate judge case number: 1:19-mj-00260-IDD

Date Filed: 08/05/2019
Date Terminated: 11/22/2019

Assigned to: District Judge Liam O'Grady

Defendant (1)

Brian Patrick Baynes
TERMINATED: 11/22/2019

represented by **Shannon Quill**
Office of the Federal Public Defender
(Alexandria)
1650 King St
Suite 500
Alexandria, VA 22314
(703) 600-0800
Fax: 703-600-0880
Email: Shannon_Quill@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Public Defender

Pending Counts

18:922(g)(3) - UNLAWFUL TRANSPORT
OF FIREARMS, ETC.
(1)

Disposition

2 years Probation with special conditions;
\$100 SA

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

18:922(g)(3) Possession of Firearm by
Controlled Substance User

Disposition

Plaintiff**USA**represented by **Anthony Mariano**

US Attorney's Office (Alexandria-NA)
 2100 Jamieson Avenue
 Alexandria, VA 22314
 NA

703-299-3700

Email: Anthony.Mariano2@usdoj.gov





*LEAD ATTORNEY**ATTORNEY TO BE NOTICED**Designation: US Attorney***Karen Ledbetter Taylor**











United States Attorney's Office
 2100 Jamieson Ave
 Alexandria, VA 22314
 NA





703 299-3700






Email: Karen.Taylor2@usdoj.gov

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/13/2021	46	Probation Jurisdiction Transferred to United States District Court for the District of Maryland-Baltimore as to Brian Patrick Baynes Transmitted Transfer of Jurisdiction form, with certified copies of indictment, judgment and docket sheet. (choy,) (Entered: 05/14/2021)
11/26/2019	 45	PRESENTENCE INVESTIGATION REPORT (Final Presentence Investigation Report) (SEALED - government and defense counsel) as to Brian Patrick Baynes. (Attachments: # 1 Letter DF 178 (final))(hudnall, vicki) (Entered: 11/26/2019)
11/22/2019		(Court only) ***CLOSED flag(s) set. (dzir) (Entered: 11/22/2019)
11/22/2019	 44	Sealed Statement of Reasons as to Brian Patrick Baynes (dzir) (Entered: 11/22/2019)
11/22/2019	43	JUDGMENT as to Brian Patrick Baynes (1) for Count(s) 1: 2 years Probation with special conditions; \$100 SA. Signed by District Judge Liam O'Grady on 11/22/2019. (dzir) (Entered: 11/22/2019)
11/22/2019	42	Minute Entry for proceedings held before District Judge Liam O'Grady: Sentencing held on 11/22/2019 for Brian Patrick Baynes (1) for Count(s) 1. U.S. appeared through Anthony Mariano and Ronald Walutes. Defendant appeared with counsel, Shannon Quill. Defendant requests that the PSIR be amended as to the dates the defendant was previously incarcerated - granted. No objections to the PSIR by the U.S. Government rests on their papers. Defendant request a sentence of probation. Defendant sentenced to: 2 years Probation with special conditions including 30 days of intermittent confinement; \$100 SA. Defendant continued on release. (Court Reporter N. Linnell)(dzir) (Entered: 11/22/2019)
11/19/2019		(Court only) ***Motions terminated as to Brian Patrick Baynes: 36 MOTION to Seal <i>Defenant's Position on Sentencing Factors</i> filed by Brian Patrick

		Baynes per Order [Doc. No. 40]. (dest,) (Entered: 11/19/2019)
11/18/2019	 41	Sealed Defendant's Position on Sentencing Factors. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(dest,) (Entered: 11/19/2019)
11/18/2019	 40	Sealed Order as to Brian Patrick Baynes. Signed by District Judge Liam O'Grady on 11/18/2019. (dest,) (Entered: 11/19/2019)
11/18/2019		(Court only) ***Motions terminated as to Brian Patrick Baynes: 37 Sealed Motion filed. (dest,) (Entered: 11/18/2019)
11/18/2019	 39	Sealed Order. Signed by District Judge Liam O'Grady on 11/18/2019. (dest,) (c/s) (Entered: 11/18/2019)
11/18/2019	36	MOTION to Seal <i>Defendant's Position on Sentencing Factors</i> by Brian Patrick Baynes. (Attachments: # 1 Proposed Order)(Quill, Shannon) (Entered: 11/18/2019)
11/15/2019	 38	Sealed Position in Sentencing. (Attachments: # 1 Exhibit- 1)(dest) (Entered: 11/18/2019)
11/15/2019	 37	Sealed Motion by USA as to Brian Patrick Baynes. (Attachments: # 1 Proposed Order)(dest,) (Entered: 11/18/2019)
11/13/2019	  35	(Court only) Confidential Recommendation as to Brian Patrick Baynes (hudnall, vicki) (Entered: 11/13/2019)
11/13/2019	 34	PRESENTENCE INVESTIGATION REPORT (Sentencing Presentence Investigation Report) (SEALED - government and defense counsel) as to Brian Patrick Baynes. (Attachments: # 1 Letter DF 178)(hudnall, vicki) (Entered: 11/13/2019)
11/07/2019	33	NOTICE of Publication & Finality of Forfeiture by USA as to Brian Patrick Baynes re 29 Consent Order for Forfeiture of Property (Attachments: # 1 Affidavit)(Taylor, Karen) (Entered: 11/07/2019)
11/07/2019	32	NOTICE OF ATTORNEY APPEARANCE Karen Ledbetter Taylor appearing for USA. (Taylor, Karen) (Entered: 11/07/2019)
10/21/2019	 31	PRESENTENCE INVESTIGATION REPORT (Disclosed Presentence Investigation Report) (SEALED - government and defense counsel) as to Brian Patrick Baynes. Objections to PSI due 11/06/2019. (crandell, linda) (Entered: 10/21/2019)
08/08/2019	30	Redacted Criminal Case Cover Sheet (awac,) (Entered: 08/08/2019)
08/08/2019	29	Consent ORDER DIRECTING FORFEITURE OF PROPERTY as to Brian Patrick Baynes.. Signed by District Judge Liam O'Grady on 8/8/2019. (awac,) (Entered: 08/08/2019)
08/08/2019	28	Minute Entry for proceedings held before District Judge Liam O'Grady:Plea Agreement Hearing as to Brian Patrick Baynes held on 8/8/2019. USA appeared through Anthony Mariano. Defendant appeared with Shannon Quill. Plea entered by Brian Patrick Baynes (1) Guilty Count 1. PSR Ordered. Sentencing set for 11/22/2019 at 09:00 AM in Alexandria Courtroom 1000 before District Judge Liam O'Grady. Bond continued as previously set. (Court Reporter N. Linnell.)(awac,) (Entered: 08/08/2019)
08/08/2019	27	Statement of Facts as to Brian Patrick Baynes (awac,) (Entered: 08/08/2019)
08/08/2019		PLEA AGREEMENT as to Brian Patrick Baynes (awac,) (Additional

	 26	attachment(s) added on 8/8/2019: # 1 Sealed Document) (awac,) (Entered: 08/08/2019)
08/08/2019	25	WAIVER OF INDICTMENT by Brian Patrick Baynes (awac,) (Entered: 08/08/2019)
08/08/2019	24	INFORMATION as to Brian Patrick Baynes (1) count(s) 1. (awac,) (Entered: 08/08/2019)
08/06/2019		Set Hearing as to Brian Patrick Baynes: Plea Agreement Hearing set for 8/8/2019 at 02:00 PM in Alexandria Courtroom 1000 before District Judge Liam O'Grady. (rban,) (Entered: 08/06/2019)
08/06/2019	  23	(Court only) Defendant Information Sheet (jlan) (Entered: 08/06/2019)
07/22/2019	22	ORDER granting up to and including August 20, 2019 21 Motion for Extension of Time to Indictment as to Brian Patrick Baynes (1). Signed by District Judge Leonie M. Brinkema on 7/22/2019. (lcre,) [1:19-mj-00260-IDD] (Entered: 07/22/2019)
07/19/2019	21	CONSENT MOTION for Extension of Time to Indict by USA as to Brian Patrick Baynes. (Attachments: # 1 Proposed Order)(lcre,) [1:19-mj-00260-IDD] (Entered: 07/19/2019)
06/26/2019	20	Docketed in Error and Removed (lcre,) Modified on 6/27/2019 (lcre,). (Main Document 20 replaced on 6/27/2019) (lcre,). [1:19-mj-00260-IDD] (Entered: 06/26/2019)
06/25/2019		(Court only) *** SEALED flag removed. (cmar,) [1:19-mj-00260-IDD] (Entered: 06/25/2019)
06/25/2019	19	ORDER granting 18 Motion to Unseal Case as to Brian Patrick Baynes (1). Signed by Magistrate Judge Ivan D. Davis on 06/25/19. (cmar,) [1:19-mj-00260-IDD] (Entered: 06/25/2019)
06/24/2019	18	MOTION to Unseal Case by USA as to Brian Patrick Baynes. (Attachments: # 1 Proposed Order)(lcre,) [1:19-mj-00260-IDD] (Entered: 06/24/2019)
06/21/2019	17	ORDER granting up to and including August 5, 2019 16 Motion for Extension of Time to Indictment as to Brian Patrick Baynes (1). Signed by District Judge Leonie M. Brinkema on 6/21/2019. (lcre,)(c/s) [1:19-mj-00260-IDD] (Entered: 06/21/2019)
06/21/2019	16	Consent MOTION for Extension of Time to Indict by USA as to Brian Patrick Baynes. (Attachments: # 1 Proposed Order)(lcre,) [1:19-mj-00260-IDD] (Entered: 06/21/2019)
06/07/2019	15	ORDER Setting Conditions of Release as to Brian Patrick Baynes (1) PR Bond. Signed by Magistrate Judge Ivan D. Davis on 06/07/2019. (lgue,) [1:19-mj-00260-IDD] (Entered: 06/10/2019)
06/07/2019	14	Minute Entry for proceedings held before Magistrate Judge Ivan D. Davis:Preliminary Hearing as to Brian Patrick Baynes held on 6/7/2019. US appeared through: Anthony Mariano. Deft appeared with counsel: Todd Richman for Elizabeth Mullin. Gov't adduced evidence and rests. Affidavit admitted into evidence as govt exhibit number one. Court finds PC. Matter continued for further proceedings before the Grand Jury. Detention Hearing as to Brian Patrick Baynes held on 6/7/2019. Gov't seeks detention. Deft argues for release with conditions-GRANTED. Deft placed on PR bond with

		conditions. Deft remanded until all conditions are met. (Tape #FTR.)(lgue,) [1:19-mj-00260-IDD] (Entered: 06/10/2019)
06/07/2019	13	PR Bond with conditions entered as to Brian Patrick Baynes (dest,) [1:19-mj-00260-IDD] (Entered: 06/07/2019)
06/07/2019		ORAL ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Brian Patrick Baynes - Shannon Quill for Brian Patrick Baynes appointed. Entered by Magistrate Judge Ivan D. Davis on 06/06/2019. (lgue,) [1:19-mj-00260-IDD] (Entered: 06/07/2019)
06/06/2019	12	ORDERED that the re 1 Complaint and the re 2 Affidavit in Support of the Complaint, Motion to Seal, and this ORDER be sealed until the United States moves to unseal the documents. Signed by Magistrate Judge Ivan D. Davis on 6/6/2019. (lcre,) [1:19-mj-00260-IDD] (Entered: 06/06/2019)
06/06/2019	11	Temporary Detention Order as to Brian Patrick Baynes. Signed by Magistrate Judge Ivan D. Davis on 06/06/2019. (lgue,) [1:19-mj-00260-IDD] (Entered: 06/06/2019)
06/06/2019	 10	CJA 23 Financial Affidavit by Brian Patrick Baynes (lgue,) [1:19-mj-00260-IDD] (Entered: 06/06/2019)
06/06/2019	9	Minute Entry for proceedings held before Magistrate Judge Ivan D. Davis:Initial Appearance as to Brian Patrick Baynes held on 6/6/2019. US appeared through: Anthony Mariano. Deft appeared without counsel. Duty FPD: Shannon Quill present. Deft informed of rights, charges, and penalties. Court to appoint counsel(FPD). Gov't's motion for case to remain underseal- GRANTED. Gov't to provide sealing order. Gov't is seeking detention- GRANTED pending PH/DH. Detention and Preliminary Hearing set for 6/7/2019 at 02:00 PM in Alexandria Courtroom 301 Magistrate Judge Ivan D. Davis. Deft remanded. (Tape #FTR.)(lgue,) [1:19-mj-00260-IDD] (Entered: 06/06/2019)
06/06/2019	8	Arrest Warrant Returned Executed on 06/06/2019 in case as to Brian Patrick Baynes. (lgue,) [1:19-mj-00260-IDD] (Entered: 06/06/2019)
06/05/2019		(Court only) ***SEALED flag(s) set. (lcre,) [1:19-mj-00260-IDD] (Entered: 06/05/2019)
06/05/2019	 7	Arrest Warrant Issued in case as to Brian Patrick Baynes. (lcre,) [1:19-mj-00260-IDD] (Entered: 06/05/2019)
06/05/2019	6	Redacted Criminal Case Cover Sheet (lcre,) [1:19-mj-00260-IDD] (Entered: 06/05/2019)
06/05/2019	  5	(Court only) Defendant Information Sheet (lcre,) [1:19-mj-00260-IDD] (Entered: 06/05/2019)
06/05/2019	4	ORDER granting until the arrest of the defendant 3 Motion to Seal as to Brian Patrick Baynes (1). Signed by Magistrate Judge Ivan D. Davis on 6/5/2019. (lcre,) [1:19-mj-00260-IDD] (Entered: 06/05/2019)
06/05/2019	3	MOTION to Seal by USA as to Brian Patrick Baynes. (lcre,) [1:19-mj-00260-IDD] (Entered: 06/05/2019)
06/05/2019	2	AFFIDAVIT by USA as to Brian Patrick Baynes 1 Complaint (Sealed) (lcre,) [1:19-mj-00260-IDD] (Entered: 06/05/2019)
06/05/2019	1	SEALED COMPLAINT as to Brian Patrick Baynes (1). (lcre,) [1:19-mj-

		00260-IDD] (Entered: 06/05/2019)
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UNITED STATES DISTRICT COURT
for the
Eastern District of Virginia



United States of America

v.

Brian Patrick Baynes

Defendant

Case No. 1:19-CR-232

WAIVER OF AN INDICTMENT

I understand that I have been accused of one or more offenses punishable by imprisonment for more than one year. I was advised in open court of my rights and the nature of the proposed charges against me.

After receiving this advice, I waive my right to prosecution by indictment and consent to prosecution by information.

Date:

8/8/2019

A handwritten signature in blue ink, appearing to read "Brian Baynes".

Defendant's signature

A handwritten signature in blue ink, appearing to read "Shannon S. Quill".

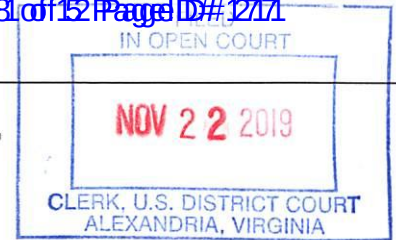
Signature of defendant's attorney

Shannon S. Quill

Printed name of defendant's attorney

/s/ A handwritten signature in blue ink, appearing to read "Liam O'Grady".
Liam O'Grady
United States District Judge

Judge's printed name and title



UNITED STATES DISTRICT COURT
Eastern District of Virginia
Alexandria Division

UNITED STATES OF AMERICA

v.

Case Number: 1:19CR232-001

BRIAN PATRICK BAYNES

USM Number: 93463-083

Defendant's Attorney: Shannon Quill, Esq.

Defendant.

JUDGMENT IN A CRIMINAL CASE

The defendant pleaded guilty to Count One of the Criminal Information.


Accordingly, the defendant is adjudicated guilty of the following counts involving the indicated offenses.

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Offense Class</u>	<u>Offense Ended</u>	<u>Count</u>
18 U.S.C. § 922(g)(3)	Unlawful Transport of Firearms, etc.	Felony	June 6, 2019	One

As pronounced on November 22nd, 2019, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States Attorney of material changes in economic circumstances.

Signed this 22nd day of November, 2019.

/s/ 
Liam O'Grady
United States District Judge

Liam O'Grady
United States District Judge

Defendant's Name: BAYNES, BRIAN PATRICK
Case Number: 1:19CR232-001

PROBATION

The defendant is hereby placed on supervised probation for a term of TWO (2) YEARS. This term shall include a special condition of THIRTY (30) days of intermittent confinement to be served at the direction of the U.S. Probation Office.

The Probation Office shall provide the defendant with a copy of the standard conditions and any special conditions of Probation.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess or use a controlled substance.

The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or restitution obligation, it is a condition of Probation that the defendant pay any such fine or restitution in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

STANDARD CONDITIONS OF PROBATION

The defendant shall comply with the standard conditions that have been adopted by this court set forth below:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer for a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

Defendant's Name: BAYNES, BRIAN PATRICK
Case Number: 1:19CR232-001

SPECIAL CONDITIONS OF SUPERVISION

While on Probation pursuant to this Judgment, the defendant shall also comply with the following additional special conditions:

1. The defendant must remain drug free and submit to random drug testing. If he tests positive for the presence of drugs, the defendant must satisfactorily participate in, and complete, any inpatient or outpatient drug treatment to which the defendant is directed by the probation officer.
2. The defendant shall complete 100 hours of community service as directed by the probation officer.
3. The defendant shall not possess view, access, or otherwise use material that reflects extremist or terroristic views or is deemed to be inappropriate by the U.S. Probation and Pretrial Services Office.
4. The defendant shall provide the probation officer access to any requested financial information.

Defendant's Name: **BAYNES, BRIAN PATRICK**
Case Number: **1:19CR232-001**

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the Schedule of Payments on Sheet 6.

	<u>Count</u>	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
	One	\$100.00	\$0.00	\$0.00
TOTALS:		\$100.00	\$0.00	\$0.00

FINES

No fines have been imposed in this case.

RESTITUTION

No restitution has been imposed in this case.

Defendant's Name: BAYNES, BRIAN PATRICK
Case Number: 1:19CR232-001

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

The special assessment and fine shall be due in full immediately.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the Clerk of the Court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed. Payments shall be applied in the following order: (1) assessment (2) restitution principal (3) restitution interest (4) fine principal (5) fine interest (6) community restitution (7) penalties and (8) costs, including cost of prosecution and court costs.

Nothing in the court's order shall prohibit the collection of any judgment, fine, or special assessment by the United States.